

Riba in The Perspective of Sharia Bank Customers: A Systematic Literature Review

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ABSTRACT

This study aims to determine the Islamic bank customers to the understanding of usury. This type of research is literature review research. The type of data collected in this study is primary data, namely data obtained from various current and relevant literature regarding the level of understanding of Islamic bank customers about usury, such as from books, journals, articles, papers, and other related reading sources. The data analysis technique of this research was carried out using the data analysis technique of the Miles and Huberman model. The data analysis activities of this model include data reduction, data display and conclusion drawing or verification. The results of a systematic literature review found that usury is an additional take, both in buying and selling transactions and lending and borrowing in vanity. The prohibition of usury in the Qur'an was revealed in stages, preceded by a series of moral teachings relevant to the theme of the prohibition of usury. Conventional banks use the interest system to support their operations. In contrast to the interest system prevailing in conventional banks, Islamic banks determine the amount of return and profit sharing based on the amount of profit sharing between the customer and the bank without determining the percentage that must be paid by the customer. Bank interest is an evolution of the concept of usury that cannot be separated from the development of financial institutions. Riba in modern banking makes business decline and become unproductive. Education and religion can be used as the basis for mu'amalah for all mankind, especially Muslims. Islamic education can lead humans to become individuals who are able to survive in this world and the hereafter (al-falah). Education about usury provides important information that can be a guide for human life in contemporary mu'amalah.

Keywords: Riba, Islamic banks, conventional banks, and Islam.

ABSTRAK

Penelitian ini bertujuan untuk mengetahui nasabah bank syariah terhadap pemahaman riba. Jenis penelitian ini adalah penelitian kajian pustaka. Jenis data yang dikumpulkan dalam penelitian ini adalah data primer, yaitu data-data yang diperoleh dari berbagai literature terkini dan relevan mengenai tingkat pemahaman nasabah bank syariah tentang riba, seperti dari buku, jurnal, artikel, makalah, dan sumber bacaan lainnya yang terkait. Teknik analisis data penelitian ini dilakukan

dengan menggunakan teknik analisis data model Miles dan Huberman. Aktifitas analisis data model ini antara lain, data reduction, data display dan conclusion drawing or verification. Hasil systematic literature review menemukan bahwa riba merupakan pengambilan tambahan, baik dalam transaksi jual beli maupun pinjam-meminjam secara batil. Larangan riba dalam al-quran diturunkan bertahap yang didahului dengan serangkaian ajaran moral yang relevan dengan tema pelarangan riba. Bank konvensional menggunakan sistem bunga untuk menunjang oprasional kerjanya. Berbeda dengan sistem bunga yang berlaku di bank konvensional, bank syariah menetapkan besaran pengembalian dan pembagian keuntungan berdasarkan besarnya bagi hasil keuntungan antara nasabah dan bank tanpa menentukan besarnya prosentase yang harus dibayarkan nasabah. Bunga bank merupakan evolusi konsep dari riba yang tidak bisa lepas dari perkembangan lembaga keuangan. Riba dalam perbankan modern membuat bisnis semakin merosot dan tidak produktif. Pendidikan dan agama dapat dijadikan dasar bermu'amalah bagi seluruh umat manusia, khususnya umat Islam. Pendidikan Islam dapat mengantarkan manusia menjadi pribadi yang mampu selamat di dunia dan akhirat (al-falah). Pendidikan tentang riba memberikan informasi penting yang dapat menjadi pedoman hidup manusia dalam bermu'amalah kontemporer.

Kata Kunci: Riba, bank syariah, bank konvensional, dan Islam.

INTRODUCTION

Islamic banking in Indonesia is increasingly experiencing significant growth, but it is not accompanied by a good understanding of the essence of the meaning of usury. In the view or teachings of Islam and the scholars of fiqh began to talk about usury in solving various kinds of mu'amalah problems (Zaman, 2009). Many verses of the Qur'an discuss the period of prohibition until there is a strict prohibition on the law of usury, which has been clearly stated in the Qur'an (2: 278-279) which means; "O you who believe, fear Allah and leave the rest of usury (which has not been collected) if you are believers, so if you do not do (leave the rest of usury), then know that Allah and His Messenger will fight you. And if you repent (from taking usury), then for you the principal of your property, you do not persecute and are not (also) wronged." (D. A. K. Khan et al., 2018).

It is a fact that banking is one of the main pillars of support for the operation of the real business sector, and also as one of the institutions whose existence is very much needed for most people. So far, institutions operating in the banking sector in general are still using the conventional system in their operations. On the other hand, there are still many who believe that this system is not in accordance with the beliefs of the Indonesian people, who are predominantly Muslim (Solehuddin & Budiman, 2019).

With the usury system, many business circles suffer losses, for various reasons that can be accepted by reason. The fact is that there are many conventional banks that exist today. For this reason, as a form of ummah's responsibility, it is how to respond to the current reality regarding the operation of banks that are trying to be based on principles in accordance with Islamic teachings (Lestari et al., 2021). Regardless of the classic problem of how loud and intense the debate over usury among Muslims is, this does not dampen fellow Muslims who still believe that an economy based on Islamic thought can basically be applied to this modern world (Sholehuddin et al., 2021).

Today, the discussion about usury among Islamic countries has resurfaced (Khavarinezhad et al., 2021). So that efforts to make efforts aimed at avoiding the problem of usury began to be implemented. The term regarding the perception of usury is so alive in the Islamic world (Aslan, 2017). Therefore, it seems as if about usury once his life is typical of Islam. People often forget that the law prohibiting usury, as stated by an American Muslim, Cyril Glasse, in his *ekslopedi*, is not enforced in any Islamic country (Hofmann, 2002). Meanwhile, most people do not know that even in the Christian world, for a millennium, usury is a prohibited item in the theological view, any scholar according to existing laws. Where the

problem that is very vulnerable to the problem of usury is the financial sector. Where the concept of money in Islamic economics is different from conventional economic concepts. According to Islamic economics money is money, not capital. Meanwhile, in conventional economic concepts, the concept of money is not clear. For example in the book *Money, Interest and Capital* (1989) by Colin Rogers, money is defined as interchangeability, as money or as capital. This ambiguity creates chaos (Birch, 2020). This is the main reason that very clearly distinguishes between conventional banking and Islamic banking (Mohieldin, 2012).

There are several studies related to the problem of usury. Among these studies are the results of research showing that the ideology underlying conventional banks is a capitalist economy, which is guided by the true value of money and money demand for speculation (Jalaei et al., 2021). Thus, in the context of the partnership between the customer and the bank, conventional banking is still based on the form of the debtor and creditor relationship (Rizan et al., 2013). Meanwhile, Islamic banks try to create contractual relationships between investors and fund owners and investors and managers or who work together to carry out productive businesses and share profits fairly (S. A. Khan & Aslam, 2018). Another study states that in Mecca there are two types of usury, namely usury that does not produce and usury that produces (Nouman & Ullah, 2014).

Further research stated that the emergence of MUI fatwa No. 1 of 2004 regarding bank interest was driven by socio-cultural factors and the MUI's desire to strengthen the legality of Islamic banking in the country. Judging from Islamic law, the MUI fatwa is not sufficient in adopting the authority of the text, it can be seen as something that does not reduce the aspect of its validity. In the initial argument, the fatwa seems to be more inclined to the Neo-Revivalist school, a school which is believed to be the originator of the basic idea of establishing a Sharia Bank. Mudharabah can replace the interest economic system which according to some scholars is considered usury. The mudharabah system has no effect on the rise and fall of interest rates so that it can maintain investment stability. Islamic Banks as Intermediary Financial must carry out a mechanism for collecting and distributing funds in a balanced manner (Saputra & Selviani, 2021).

Islamic banking is one of the new offerings in the world of banking (Samsudeen et al., 2022), especially for banking service users who are predominantly Muslim in Indonesia. In its operations to profit from its products, it does not take advantage of services or interest/usury. The impact of usury in the midst of society is not only influential in economic life but in all aspects of human life. The practice of usury causes a person to become greedy, miserly, too careful and selfish (Adinugraha, 2017). Give birth to feelings of hatred, anger, hostility and envy in people who are forced to pay usury (Adinugraha & Ghofur, 2017). Therefore Allah hates and forbids usury and justifies alms. As a Muslim who has a responsibility to the Ummah in economic matters, basically the call to Islamic economics is meaningful (Adinugraha, 2020).

First, the call for the improvement of conditions and the establishment of Islam correctly. This is because the Islamic economy is a vital field in which the spiritual and material character of society emerges, the characteristics of the people, the elements of good and evil in it (Hadi & Mu'ammam, 2019).

Second, the call to liberate Islamic society from western or eastern influences, in accordance with the call for holy *ijtihad* for comprehensive development, ending backwardness and establishing an economic structure that embodies Islamic solidarity and strengthens Islamic bonds, greatness and universal message (Calder, 2019).

Third, the call to revive Islam by realizing it in the economic field, in accordance with the call to save morals and raise nobility. As one form of its application is the emergence of banking based on sharia thinking. With guidance on the fact that the State of Indonesia as one of the cities that are considered to have prospects for Islamic banking operations, in this

case the author intends to find out more about how far the understanding of usury or interest on customers who use the services of Islamic banking products (Amiruddin et al., 2020).

Departing from the problems above, the researchers are finally interested in studying in full about the understanding of Islamic bank customers about usury in terms of a systematic literature review.

METHODS

This type of research is a literature review research (Kartono, 1983), which is a research conducted intensively and in depth on a study under study, namely a study of the understanding of Islamic bank customers about usury. In this regard, the type of data to be collected in this study is primary data, namely data obtained from various current and relevant literature regarding the level of understanding of Islamic bank customers about usury, such as from books, journals, articles, papers, and other sources or other readings related to the focus of this research study as well as reliable reading sources related to riba or usury.

The data analysis technique of this research was carried out using the data analysis technique of the Miles & Huberman, (1994) model. In this model, qualitative analysis activities are carried out interactively and continuously until it is deemed sufficient. According to Kaelan, there are two stages in the data analysis technique in this library research. First, analysis at the time of data collection, this is aimed at capturing the essence or core of the focus of the research that will be carried out through the sources collected and contained in the verbal linguistic formulation, this process is carried out aspect by aspect, according to the research map. Second, after the data collection process is carried out, then re-analyze after the data has been collected in the form of raw data, which must determine the relationship with each other. The data collected does not necessarily fully answer the problems raised in the study, therefore it is necessary to re-analyze the clarified data. The data analysis activities of this model include, among others, data reduction, data display and conclusion drawing/verification.

RESULTS AND DISCUSSION

Introduction to Riba

Riba in language means *ziyadah* or interpreted in Indonesian with the meaning of growing, adding or excess. Linguistically, usury also means to grow or enlarge. Meanwhile, according to technical terms, usury means taking additional from the principal property or capital in a vanity manner (Phull, 2011).

There are several opinions in explaining usury, but in general there is a common thread that emphasizes that usury is an additional taking, both in buying and selling transactions and lending and borrowing in a vanity or contrary to the principle of mu'amalah in Islam. Regarding this, Allah SWT reminds in His word in Surah an-Nisaa verse: 29 "O you who believe, do not eat each other's property in a vanity way..."

The above is also based on the word of Allah in Surah Al-Hajj verse 5 that "And you see the earth is dry, then when We send down water on it, the earth lives and is fertile and grows various kinds of beautiful plants. Meanwhile, according to the term, usury means a transaction that provides additional conditions or a contract activity that takes profits on the authorized capital without going through a transaction process that is legal according to sharia.

Riba is additional money on capital obtained in a way that is not justified by syara', whether the addition is small or large as required in the Qur'an. Thus included in the Riba category is doubling the assets that exist in other people through accounts payable, savings and loans, or exchange where the profits are taken based on the difference in the exchange rate due to the grace period given to the lender of capital to the borrower (Happy et al., 2021).

Riba is an addition to the capital submitted by the debtor to the creditor which is commensurate with the time of suspension, and is determined along with the terms and limits. Taking profits without giving rewards to other parties and all forms of transactions that are forbidden by religion can be called Riba (Faiza et al., 2022).

The understanding of usury was conveyed by many scholars throughout Islamic history from various schools of fiqhiiyah. Among them are as follows: a. Badrad-Din al-Ayni, Author of Umdatul Qari Syarah Sahih al-Bukhari: "The main principle of usury is addition. According to sharia, usury means addition on the basis of basic assets without any real business transactions"; b. Imam Sarakhsi from the Hanafi School "Riba is an additional required in business transactions without any iwadh (or equivalent) justified by the Shari'ah for the addition."; c. Imam an-Nawawi from the Shafi'i school "From the explanation of Imam Nawawi above it is very clear that one form of usury that is prohibited by the Qur'an and As-Sunnah is the addition of basic assets because of the time element. In the world of banking, this is known as credit interest according to the length of the loan period"; d. Raghib al-Asfahani "Riba is an addition on the basis of basic assets."; e. Qatadah "Riba jahiliyah is someone who sells his goods at a certain time until a certain time. If the time for payment has come and the buyer is unable to pay, he will pay an additional fee for the suspension."; f. Zaid bin Aslam "What is meant by jahiliyah usury which implies multiplication over time is someone who has receivables from his partners at maturity, he says, 'pay now or add'."; g. Mujahid "They sell their wares at a tempo. If it is past due and (unable to pay), the seller provides an 'addition' for the additional time."; h. Ja'far ash-Sadiq from the Shia "Ja'far ash-shadiq said when asked why Allah SWT forbade usury, "So that people do not stop doing good. This is because when it is allowed to take interest on a loan, a person does not do ma'ruf again on borrowing and borrowing transactions and the like, even though qard aims to establish close relationships and benevolence between humans "; i. Imam Ahmad bin Hanbal, Founder of the Hanbali School "When Imam Ahmad bin Hanbal was asked about usury, he replied, Verily, usury is someone who has a debt, so he is told whether to pay off or pay more. If he is unable to repay, he must add funds (in the form of loan interest) for the additional time given." (Miftakhuddin et al., 2021)

Broadly speaking, usury is grouped into two. Each of them is usury on debts and usury of buying and selling. The first group is further divided into usury qardh and usury jahiliyah. As for the second group, usury buying and selling is divided into usury fadhli and usury nasi'ah. Riba Qardh is a certain benefit or level of excess required of the debtor (*muqtaridh*). Riba Jahiliyah is a debt that is paid more than the principal because the borrower is unable to pay the debt at the stipulated time. Riba Fadhli is the exchange between similar goods with different levels or doses, while the goods exchanged are included in the type of usury goods. Riba Nasi'ah is the suspension of delivery or receipt of usury goods that are exchanged for other types of usury goods. Riba in nasi'ah arises because of differences, changes, or additions between what is given now and what is given later (Akbar, 2010).

Basically, fiqh scholars divide usury into two types, namely usury fadhli and usury nasi'ah. In simple terms, usury fadhli is buying and selling of one type of goods from usury goods with similar goods, with a higher value (price), such as buying and selling one quintal of wheat for one quarter of a quintal of wheat, or buying and selling of one ounce of silver for one ounce silver plus one dirhamc (Sartika & Adinugraha, 2016).

Riba nasi'ah is an excess of receivables given by people who owe to the owner of capital when the agreed time is due. Riba nasi'ah occurs if the maturity date for borrowing debt has arrived while the borrower is unable to pay the debt and interest, then the time for borrowing increases with a note that there is an increase in interest. In practice, usury nasi'ah is divided into two types, namely usury jahiliyah and usury nasi'ah. Riba jahiliyah is usury in additional forms taken due to the maturity of the borrower to repay the debt (capital) he borrowed. For example, in daily life, A has a debt to B and it will be paid at the agreed time. After the due date has been determined, but if Person B cannot pay off the debt at the agreed time, then Person A asks for additional money and gives another grace period. This type of usury is forbidden by Allah in His word, which means: "O you who believe, do not eat usury doubled." As for usury nasi'ah, namely buying and selling usury goods such as gold, silver or sya'ir wheat (a type of) wheat, or dates with other usury goods in a delayed or until a certain time." (Hirarto et al., 2021)

Buya Hamka divides usury into two types, namely usury jahiliyah and usury fadhhal. Riba jahiliyah is usury of fate. Nasiah means delay or delay. The debtor is very happy if the debtor delays or delays the payment period, so that the interest can be doubled. As for usury fadhhal, namely all payments that are exceeded by those who pay more than the size or scale of the goods exchanged, for example debt 10 is paid 11, debt is one sack rice is paid for one and a half sacks of rice and so on. According to Hamka, whoever commits usury, is ready to accept the ultimatum of war from Allah and the Apostle. As for usury fadhhal, it is considered haram as Saddun li adzdzari'ah, which means closing the door to a greater danger (Purwanto, Fauzi, et al., 2020).

In the Qur'an (Ministry of Religion of the Republic of Indonesia) it is stated that there are two kinds of usury, namely nasiah and fadhhal. Riba nasiah is the extra payment required by the person who lends it, while usury fadhhal is the exchange of more than one similar item that is required by the person who exchanges it, such as gold, silver, wheat, rice, salt.

Ibnul Qayyim divides usury into "Riba Jaly" and Riba Khafy". Riba jaly is usury nasiah and what is meant by usury kahfy is usury fadhhal. Riba jaly is forbidden because it contains great danger. Riba kahfy is forbidden because it is the cause or intermediary for usury jaly. So the prohibition of usury jaly as a goal, and the prohibition of usury kahfy as an intermediary.

Abu Zahrah divides usury into three types, namely usury fadhhal, usury nasa and usury nasiha. Riba fadhhal is an addition between one of two similar exchange objects, when it is required to be comparable. While usury nasa is a debt between one of the two exchange objects, whether of the same type or not, if cash is required. And usury Nasiha is an additional amount of debt in exchange for an extension of the time to pay it. Mustafa Al-Maraghy said that there are two kinds of usury, namely usury nasiha and usury fadhhal, the additional usury of nasiha according to the custom at that time (the era of ignorance) was a minimum of 40% and a maximum of 100% (Meirison, 2018).

Islamic Religious and Economic Views about Riba

a. Riba in Islamic View

Scholars agree that usury is unlawful on the basis of the word of God in the Koran and the explanation in the Sunnah of the Prophet Muhammad. Allah says in Surah Al-Baqarah: 275 which means: "Those who eat (take) usury cannot stand up, but like the establishment of someone who is possessed by Satan, because of (pressure) madness. Their condition is like that, is because they say (opinion), infact buying and selling is the same as usury, even though Allah has justified buying and selling and forbidden usury ". Similarly, the word of God in the letter Al-Baqarah: 276 which means: "God destroys usury and enriches alms. And Allah does not like anyone who remains in disbelief and always

commits sin." From the two verses above, it is clear that the law of usury is forbidden." (Adinan, 2013)

The prohibition of usury in the Qur'an was not revealed all at once, but gradually preceded by a series of moral teachings relevant to the theme of the prohibition of usury. This can be seen from the initial prohibition in the form of a ban on the socio-economic behavior of the people of Mecca at that time. The Qur'an encourages the people of Mecca to help the poor and orphans around them. According to the Qur'an, whoever does not pray and does not pay attention to the poor will be threatened with the torment of hell. Furthermore, after the prohibition, the Qur'an warns that wealth is a trust and at the same time a trial, so that efforts to accumulate wealth and wealth without considering social interests and the lamah economic community will not get salvation in the world and in the hereafter which are essentially of no value in the eyes of Allah. The warning is continued with the teaching to spend wealth which can be done by means of grants or sodaqah. If the form of assistance is felt to be heavy, it can be done through borrowing (debt) without collecting the excess or burden of the principal value lent to those in need. This type of borrowing is known as qard hasan. If in practice the qard hasan is due and the borrower has difficulty and is unable to repay the loan, then there should be no addition to the principal value of the loan in any form charged (Habiburrahman et al., 2020).

The basis for the prohibition of usury in the hadith, among others, is in the Bukhari hadith narrated by Ali and Ibn Mas'ud, that the Messenger of Allah said, "Allah has cursed the eater of usury, who represents usury, his two witnesses and the person who wrote it down". Another hadith states that the Messenger of Allah said, "Stay away from the seven things that lead to destruction. The companions asked, "What are the seven things, O Messenger of Allah? "He replied, "That is Shirk in Allah, magic, killing the soul which Allah has forbidden except for reasons justified by religion, eating usury, eating the property of orphans, fleeing in war and hurling accusations of adultery against believing women who are protected from sin, and know nothing about it." (HR Bukhari and Muslim).

The content of the prohibition of usury in the hadith (*sunnah*) is different from the content in the Koran although basically the sunnah reference comes from the Koran, which leads to the issue of debt and receivables, but develops in the form of loans or deferred purchases. In addition, the problem of usury is also related to certain forms of buying and selling that prevailed in pre-Islamic times. One of the hadiths explaining usury is the hadith that explains the buying and selling of gold for gold, silver for silver, wheat for wheat, gerst with gerts (a type of wheat food ingredient), dates for dates, salt for salt, which can be exchanged at will. , the same degree, directly from hand to hand. If the type of goods exchanged is different, then carry out the transaction as you wish, if the transaction is carried out directly (not suspended). The hadith explains the permissibility of selling the six types of goods as long as they follow the provisions according to the hadith, namely with the conditions for the similarity of types of goods, on a consensual basis and submitted directly and not suspended. The prohibition of usury in the context of buying and selling in the hadith is based on the aspect of injustice which economically suppresses the weak party in terms of transactions due to the suspension of buying and selling (Adinugraha et al., 2021).

In subsequent developments the issue of usury was raised in the study of fiqh carried out by scholars. The discussion of usury by scholars is carried out on the basis of illat in understanding the prohibition of usury based on the hadith about the sale and purchase of six commodities. Identification of illat is used as a method of legal basis to expand the scope of prohibited aspects in the hadith so that it is possible to include other commodities that have characteristics such as the commodities listed in the hadith. This method of taking this type of law is known as *qiyas* (analogy) (Hidayatullah et al., 2021).

Basically every prohibition of Allah for humans as well as usury there is always wisdom behind the prohibition. However, not all humans are able to understand the wisdom behind the prohibition of usury. The prohibition of usury is essentially due to the many

elements of danger in usury, both to individuals and to society. Among the dangers of usury is first, as a form of disobedience to Allah SWT and His Messenger. Both alms from usury property are rejected, because usury is the result of dirty and illegitimate efforts, so Allah does not accept it as alms. Third, Allah does not grant the prayer of usury eaters, because unlawful assets include usury and can be a barrier to prayer so that it is rejected. Fourth, the loss of the blessings of age and income. Fifth, usury makes the heart hard and away from goodness (D. A. K. Khan et al., 2018).

b. Interpretation and Justification for Taking Riba in Modern Times

The problem of usury in modern times is very broad. Modern Muslim scholars differ on whether the prohibition of usury as described in the Qur'an applies to modern bank interest. This distinction seems to focus on one of the following central issues, namely; first, the prohibition of usury is understood by emphasizing the rational aspect, through this understanding, the element of injustice becomes the central issue of the prohibition, second, the prohibition of usury is understood based on formal law as conceptualized in Islamic law (*fiqh*). The modernists tend to stand on the former view, while the neo-Revival groups lean towards the latter view. It is important to note that what is meant here by the neo-Revivalist view is the traditional interpretation which emphasizes that every interest is usury (Zaman, 2009).

The clear and authentic evidences for the prohibition of usury are stated in the verses and hadiths, but in practice there are still some scholars who try to justify the taking of interest money. Among them are for the following reasons: 1) In an emergency, the interest is halal; 2) Only interest that is doubled is prohibited, while interest rates that are 'reasonable' and not oppressive are allowed; and 3) Banks, as institutions, are not included in the mukallaf category. Thus, it is not exposed to the khatab verses and hadiths of usury (Nuralam, 2017).

The concept of emergency, which is the basis for the permissibility of interest, is basically due to differences in the meaning of the word emergency. A proper understanding of the concept of emergency is required. To understand the meaning of emergency, we should conduct a comprehensive discussion of the meaning of emergency as explained by syara' (Allah and His Messenger) not everyday meanings (Hadikha et al., 2021).

Imam Suyuti in his book, *al-Ashbah wan-Nadzair*, who asserts that "emergency is an emergency situation where if someone does not take immediate action, it will bring him to the brink of destruction or death." In classical literature, this emergency is often exemplified by a person who is lost in the forest and has no food except pork which is forbidden. In such an emergency, Allah has permitted pork with two limitations. The word of Allah in Surah al-Baqarah verse: 173 "... whoever is forced (to eat it), while he (1) does not want it and (2) does not (also) exceed the limit, then there is no sin for him. Verily Allah is Forgiving, Most Merciful." Definite restrictions on taking this emergency dispensation must be in accordance with the ushul fiqh methodology, especially the application of *al-qawaid al-fiqiyah* regarding emergency levels. In accordance with the verse above, the scholars formulate the rule, "Emergency must be limited according to its level.", which means that the emergency has a validity period and there are limits to its size and level. The opinion which states that interest is only categorized as usury if it has multiplied and is burdensome, while if it is small it is justified. This understanding comes from a misunderstanding of the surah al-Imran verse 130, "O you who believe, do not eat usury doubled and fear Allah so that you will get good luck." (Marom et al., 2021)

At first glance, this Surah Ali Imran: 130 only prohibits double usury. However, re-understanding the other verses of usury in a comprehensive manner and understanding the phases of the prohibition of usury as a whole, will come to the conclusion that usury in all its forms and types is absolutely forbidden. The multiple criteria in this verse must be understood as a matter or nature of usury and is not a condition at all. Terms mean that if

there is a multiplication then it is usury, if it is small it is not usury. Responding to the discussion of Ali-Imran verse 130, Sheikh Umar bin Abdul Aziz al-Matruk, author of the book *ar-Riba wal-Muamalat al-Mashra-fiyah fi Nadzri ash-shariah al-Islamiah*, emphasized, "As for what is meant by verse 130 Surah Ali Imran, including its multiple editorials and its use as evidence, does not at all mean that usury must be so much. This verse emphasizes the general characteristics of usury that it has a tendency to grow and multiply over time. Thus, this editorial (multiply) becomes the general nature of usury in the terminology of sharia (Allah and His Messenger).

It should also be contemplated that the use of *mafhum mukhalafah* in the context of Ali Imran:130 is very deviant, both from the *siyaqul kalam*, the context between verses, the chronology of revelation, as well as the words of the Messenger of Allah regarding the interest of money and the practice of usury at that time. In simple terms, if we use the logic of *mafhum mukhalafah* which means the consequences in reverse- if multiple is prohibited, it is small; if not alone, in groups; if not inside, outside; and so on - it will be misunderstood in understanding the messages of Allah SWT.

Another factor that is the reason for the permissibility of interest is the *taklif* factor. There are some scholars who argue that when the verse of usury was revealed and delivered in the Arabian Peninsula, there were no banks or financial institutions, only individuals. Thus, BCA, Bank Danamon, or Bank Lippo are not subject to *taklif* law because at the time the Prophet was alive there was no such thing. This opinion clearly has many weaknesses, both historically and technically. It is not true that in pre-Apostolic times there were no "legal entities" at all. Roman, Persian, and Greek histories show that thousands of financial institutions were authorized by the authorities. In other words, their company has entered the State Gazette. In the legal tradition, the company or legal entity is often referred to as a juridical personality or *syakhsyah Hukumiyah*. This juridical personality is legally valid and can represent individuals as a whole.

In terms of harm and benefits, companies can do far greater harm than individuals. The ability of a narcotics dealer compared to a mafia institution in producing, exporting, and distributing illegal drugs is not the same; much bigger mafia institutions are dangerous. It would be naive to say that whatever mafia institutions do cannot be subject to *taklif* law because they are not *insane mukallaf*. Indeed, he is not a man of *mukallaf*, but doing *fi'il mukallaf* which is much bigger and more dangerous. Likewise financial institutions, what is the difference between a loan shark and a loan shark? Both are loan sharks who strangle the little people. The difference is that loan sharks are on a sub-district or district scale, while rent-seeking institutions cover provinces, states, and even globally (Purwanto, Rofiq, et al., 2020).

Studies on Islamic/Sharia Banks and Riba

The basic thing that distinguishes conventional (non-Islamic) financial institutions from Islamic financial institutions (Sharia) lies in the returns and profit sharing provided by customers to financial institutions or those given by financial institutions to customers. Returns and profit sharing in financial institutions are better known as profit sharing and interest. Conventional banks use the interest system to support their operations. The interest system is carried out by determining the percentage of the amount of return that must be submitted by the customer or the amount received by the bank as compensation for borrowing capital. The interest percentage is given at the beginning of the contract, regardless of the customer's condition (Pitriani & Purnama, 2020).

In contrast to the interest system prevailing in conventional banks, Islamic Banks determine the amount of return and profit sharing based on the amount of profit sharing between the customer and the bank without determining the percentage that must be paid by the customer. The amount of profit is based on the condition of the customer, if the customer

gets more profit, the bank can also get more profit. And vice versa if the customer experiences a loss or a decrease in profit, the condition is divided in half with the bank.

Table 1. Differences between the Interest and the profit sharing system

Discussion	Interest System	Profit-sharing system
Determination of yield	Previously	After trying, after there is profit
Pre-determined	Interest, the value of the rupiah	Agree on the proportion of profit sharing for each party
If there is a loss	Borne by the customer only	It is borne by both parties, the customer and the institution
Count from where?	From man lent, fixed	From the profit that will be obtained, not necessarily the amount
Project/business focal point	The amount of interest that must be paid by the customer/must be received by the bank	The success of the project/business is a shared concern: Customers and Institutions
How big is it?	Certain: (%) times the exact loan amount is known	Proportion (%) times the amount of profit that is unknown + unknown
Legal status	Contrary to QS. Luqman: 34	Implement QS. Luqman: 34

Table 2. Others differences between the Interest and the profit sharing system

Interest System	Profit-sharing system
Determination of interest is made at the time of the contract with the assumption that it must always be profitable	Determination of the amount of the profit-sharing ratio is carried out at the time of the contract with profit and loss guidelines
The percentage is based on the amount of capital lent	The amount of the profit sharing ratio is based on the amount of profit earned
Fixed interest payments as promised regardless of whether the project being carried out is profitable or not	Profit sharing depends on the profit of the project being carried out and if it is a loss, the loss is borne by both parties
The amount of interest payments does not increase even if the amount of profit doubles or the economy is booming	The amount of profit sharing increases according to the increase in the amount of income
The existence of flowers is doubted by all religions	No one doubts the validity of the profit sharing

Islamic banks in the country gained a solid footing after the deregulation of the banking sector in 1983. This is because since then they have been given the freedom to determine interest rates, including zero percent (or eliminating interest altogether). However, this opportunity has not been utilized because it is not allowed to open a new bank office. This continued until 1988 when the government issued a 1988 pact that allowed new banks to be established. Then the position of Islamic banking is more certain after the banking Law no. 7 of 1992 where banks are given the freedom to determine the type of compensation to be taken from their customers, either interest or profit-sharing benefits. The existence of financial institutions in Islam is vital because business activities and the wheels of the economy will not run without them. Islamic Banks in running their business have at least 5 operational principles, namely; system of savings, profit sharing, profit margins, rent and fees (Rahmawaty, 2014).

In some respects, conventional banks and Islamic banks have fundamental differences between the two. The differences involve legal aspects, organizational structure, financed businesses, and work environment.

1) Contracts and legal aspects

In Islamic banking, the contract made has worldly and ukrawi consequences because the contract is carried out based on Islamic law. Often customers dare to violate the agreements/agreements that have been made if the law is based solely on positive law. But this is not the case if the agreement has accountability until the *yaumil qiyamah* later.

Every contract in Islamic banking, both in terms of goods, transaction actors, and other provisions, must meet the provisions of the contract, such as the following. a). Pillars: Seller, Buyer, Goods, Price, *'aqd* or *ijab-qabul*. b). Conditions: Goods and services must be halal so that transactions for goods and services that are haram are null and void for the sake of sharia law. Prices of goods and services must be clear. The place of delivery must be clear because it will have an impact on transportation costs. The goods transacted must be fully in ownership. It is not permissible to sell something that is not owned or controlled, as happened in a short sale transaction in the capital market.

2) Dispute settlement agency

In contrast to conventional banks, if in Islamic banking there are differences or disputes between the bank and its customers, the two parties do not resolve them in the district court, but resolve them according to the procedures and material law of sharia.

The institution that regulates material law and or based on sharia principles in Indonesia is known as the Indonesian Mu'amalah Arbitration Board or BAMUI which was established jointly by the Attorney General of the Republic of Indonesia and the Indonesian Ulema Council.

3) Organizational structure

Islamic banks can have the same structure as conventional banks, for example in terms of commissioners and directors, but the element that really distinguishes between conventional banks and Islamic banks is the necessity of having a Sharia Supervisory Board and a National Supervisory Board. Sharia Supervisory Board in charge of supervising the operations of the bank and its products to conform to sharia lines. While the National Supervisory Board is tasked with supervising the products of Islamic financial institutions to comply with Islamic sharia, this institution is an autonomous institution under the Indonesian Ulema Council led by the General Chairperson of the Indonesian Ulema Council and the secretary.

4) Businesses and funded enterprises

In Islamic banks, the business and business carried out cannot be separated from the sharia filter. Therefore, Islamic banks cannot possibly finance the business contained in the things that are forbidden.

In Islamic banking, a financing cannot be approved before certain main things are confirmed, including the following; a). Is the object of financing halal or haram? b). Will the project cause harm to the community? c). Is the project related to lewd/immoral acts? d). Is the project related to gambling? e). Is the business related to the illegal weapons industry or is it oriented towards the development of mass-killing weapons? f). Can the project harm the symbols of Islam, either directly or indirectly?

5) Work environment and corporate culture

A sharia bank should have a work environment that is in line with sharia. In terms of ethics, for example the nature of amanah and shiddiq, must underlie every employee so that the integrity of a good Muslim executive is reflected. In addition, Islamic bank employees must be skillful and proportional (*fathanah*), and able to perform tasks in a teamwork where information is evenly distributed throughout the functional organization (*tabligh*). Likewise, in terms of rewards and punishments, the principles of justice that are in accordance with sharia are needed. In addition, the

way the employees dress and behave is a reflection that they work in a financial institution that carries the big name of Islam, so there is no open genitalia and rude behavior. Likewise, in dealing with customers, morals must always be maintained the prophet saying that a smile is worship (Shabbir & Ahmed, 2020).

The comparison between Islamic banks and conventional banks is presented in the following table:

Table 3. Comparison between Islamic and conventional banks

Sharia Banks	Conventional Bnaks
1. Make only halal investments.	1. Investments that are lawful and unlawful.
2. Based on the principle of profit-sharing, buying and selling, or renting.	2. Wear flower devices.
3. Profit and falah oriented (looking for prosperity in the world and happiness in the hereafter).	3. Profit oriented.
4. Relationships with customers in the form of partnership relationships.	4. Relationships with customers in the form of debtor-debtor relationships.
5. The collection and distribution of funds must be in accordance with the fatwa of the Sharia Supervisory Board.	5. There is no sharia board.

The Implementation of Riba in Modern Banking

Bank is a business entity that specializes in the field of financial. Banks on a general scale are money traders; borrow money with interest and lend money also with interest and lend money also with higher interest. The bank takes advantage of the difference in interest on savings and loans (Solekha et al., 2021).

In addition to conventional business (savings and loans), there are also several other banking services provided by banks to their customers, with all these services the bank collects wages or administrative fees. In today's modern world, entrepreneurs have no other way not to cooperate with these various banks, both national and foreign banks. Therefore, we should present an article on this issue to get to know the most important businesses of these banks and the Shari'a laws related to them, so that a Muslim businessman really understands the problem correctly (Kadarningsih, 2017).

In modern life, there are several business units that contain elements of usury in modern banking, namely as follows:

a. Bank deposit

Judging from the freedom of the bank in operating deposits, deposits are divided into two types, namely ordinary cash deposits, namely deposits which are usually used and operated by the bank, provided that they must be returned at a specified time, and support deposits or cash deposits with certain targets. . This deposit cannot be used and operated by the bank, but is only stored for the interest of the specified target.

The definition of safekeeping in fiqh cannot be equated with safekeeping in the form of bank deposits. Because the nature of the care in the science of fiqh, namely; represent the other party to keep the property to be returned again to the person asking to be represented. This is applied with various commitments given to the representative party to save and return it at a later time. This safekeeping application, of course, cannot be equated with ordinary cash deposits held by the bank to then be mixed with other assets belonging to the bank and then used in the bank's business, and returned in lieu of the money at a specified time. Thus, if it is proven that bank deposits are essentially loans, then all interest paid by the bank is usury which is forbidden by the texts that were revealed to prohibit usury and threaten the perpetrators with war against Allah and His Messenger.

b. Bank credit

Is a process when the bank puts a number of funds on its customers to be used with an agreement that the funds must be returned along with interest at a specified time.

c. Provision of commercial paper

Among the services provided by banks to their customers are the provision of securities, administrative arrangements, checks, divestments that can replace manual debt methods. The bank, of course, takes administrative money. Such a business is okay, because the profits obtained by the bank in this matter are wages or rewards from the bank's business, and all the efforts and costs incurred by it.

d. Money transfer service

Among the services provided by the bank to its customers is providing money order delivery facilities. The form of sending the money order cannot be separated from one of two possibilities; first, the money to be sent is of the same type as that paid to the delivery target. In this case, it is permissible for the bank to take wages and the bank to act as a representative or delivery person with wages. Meanwhile, the guarantee given to the bank for the money reaches the target party, as narrated from Ali r.a that he asked the dye and goldsmith to be held accountable. He stated "Only in that way the public interest can be maintained". Second, the money sent is not the same type as that which is delivered to the intended party. So the problem is exchanging money plus money orders in one transaction. While there is no direct handover in this transaction. Even though the condition for exchanging money is that there must be a direct handover.

e. Securities

Marketable papers are a kind of agreement letter or receipt that has an exchange rate such as stocks for example and receipts for receivables (bonds). Bonds themselves are a type of borrowing with a fixed interest, the law is forbidden according to the Shari'a, without any difference of opinion among scholars. Meanwhile, stock paper is a form of capital fraction with the same value (one thousand shares, for example), so that the shareholders collectively own the capital of a business. They will bear and receive profits together in accordance with the number of shares of each. If the business entity is prescribed, does not engage in haram business, rotates capital in a prescribed manner and is free from elements of usury, deception and the like, then it is permissible. Meanwhile, if the business entity is engaged in unlawful business, such as trading in liquor and the like, or turning its capital through various vanity transactions, then cooperating with the business entity through stock custody is also unlawful.

f. Money changer

Among the banking services provided by banks are buying and selling foreign currencies. The issue of currency exchange is a complex issue that requires explanation, especially in the context of the sophistication of today's modern economic system. Money is one of the commodities of usury fadhal, while fiqh studies have come to the conclusion that all types of currency in each country are separate types of currency, so the rules that govern the exchange of these currencies with one another can be described as following; If it is exchanged with the same type, Dollars for Dollars, for example, there are two conditions; It must be of the same value and must be handed over directly. There must be no difference in value and the handover cannot be postponed. Namely, usury fadhal and usury nasi'ah are forbidden in this case. If one type of currency is exchanged for another, Dollars for Juneih, or Juneih for Riyal, for example, there is only one condition, which must be handed over directly. So it is forbidden to postpone the delivery of one of the exchanged money, but it is not forbidden if the value is excessive. For example, one Dollar is exchanged for three

Juneih, more or less than that, as long as it is carried out in one place where transactions are allowed. Thus, the legal condition of a money exchange is direct handover under all conditions, this opinion has no difference among scholars (Ayu et al., 2021).

Economic development cannot be separated from financial institutions such as banks. Banking as a medium of exchange and circulation of money generally runs using the interest system. Bank interest is an evolution of the concept of usury that cannot be separated from the development of financial institutions. Riba in modern banking makes business more sluggish, less enthusiastic and unproductive. In the view of business adventurers or in commerce, they do a lot of speculative activities, which can cause profits and losses and even go bankrupt. While the usury adventurer mentality only thinks about profit without knowing loss, even though other people are harmed. Therefore, many people take shortcuts to make quick profits through savings and loan transactions, accounts payable or transactions that can generate definite profits, namely by usury or saving money in financial institutions of conventional banks (Dwi et al., 2021).

The usury system is the main cause of the bankruptcy of the state or society, because with the usury system many countries experience economic crises and the state security becomes unstable as a result of financial and economic development through the usury system which is a systematic and covert colonization of modern banks today by giving loans to the State, either through soft loans or others with very large interest payment agreements to conventional banks that provide capital loans (Hartono, 2021).

Transaction Based on Education and Religious Knowledge

Education is essentially a process, namely the process of maturation of students. This process, of course, is carried out consciously, intentionally and responsibly by educators. The process aims to mature students. Both physically, spiritually and socially mature. So that they are able to carry out physical tasks, as well as spiritual tasks such as thinking, feeling, acting, and willing in an adult manner and can live normally in the midst of others and dare to take responsibility for all their attitudes and actions to others. According to Marimba, education is a conscious guidance or leadership by educators on the physical and spiritual development of students towards the formation of the main personality.

In Islamic education, Islamic education is an educational process that leads to the formation of character or personality. Thus it seems clear that Islamic education pays attention to the formation of character or personality in accordance with the Islamic education system. Islamic education has several goals that are different from education in general, including aiming to lead students to become people who always remember Allah, want to be grateful for the blessings and not kufr, prepare humans who can answer the challenges of their future as well as possible, and take students to the next level. Students become intelligent, good at thinking, and can use their minds well (Musthofiyah et al., 2021). Thus Islamic education can lead humans to become individuals who are able to survive in this world and the hereafter.

Education provides important information that can be a guide for human life. The information obtained by a person from the results of learning and socialization is pervasive in him. Since then the set of values has become a unified system in shaping one's identity. This characteristic can be seen in everyday life, how the attitude, appearance and for what purposes participate in a particular activity. The value system that has been owned is manifested in the form of norms about how to behave like someone who is guilty and sinful if he commits an act that violates the norms.

Judging from the function and role of religion in influencing individuals, both in the form of value systems, motivations and life guidelines, the most important influence is to form conscience. Shaftesbury assumes conscience as a moral sense in humans in the form of a sense of right and wrong, an emotional reaction based on the fact that the human mind itself regulates its harmony with the cosmic order. In religious life it gives inner stability, a sense of

happiness, a sense of protection, a sense of success and a sense of satisfaction. This positive feeling will further become the impetus to do goods.

Religious knowledge is obtained from childhood starting from the family, school, and community environment. The family is the first environment in the process of individual interaction. Before going to the outside world, the family first provides various kinds of provisions for individual survival. With the family has a central role in determining the direction of an individual's life. Thus the family has a central role in determining the direction of an individual's life. The school environment is the second environment that individuals go through in the process of social interaction. Provisions obtained from the family began to be empowered and always increased both in terms of science and morals. Through school, individuals gain broader knowledge about religious knowledge (norms) and general knowledge (science and technology). Life in society is built from several value systems that apply in it that affect attitudes. People's attitudes and perspectives. If a value states that an action is good, then the individual will automatically obey that value and vice versa for a behavior that is considered bad. Thus, society and the values prevailing in it have a dominant influence in the formation of individual attitudes and personalities. Individual attitudes and behavior can easily change in interaction with the community.

CONCLUSION

The results of a systematic literature review found that currently usury is a trending discussion among Islamic countries. So that efforts to conduct studies to understand and avoid the problem of usury began to be discussed in the global arena. The perception of usury is very much alive in the Muslim world. Riba is an additional taking, both in buying and selling transactions and lending and borrowing in vanity or contrary to the principle of mu'amalah in Islam. The prohibition of usury in the Qur'an was revealed in stages, preceded by a series of moral teachings relevant to the theme of the prohibition of usury. Then, the Koran gives lessons about the essence of wealth and wealth. The Qur'an also teaches humans to spend wealth which can be done by means of grants or sodaqah, it can even be done through borrowing (debt) without collecting excess. The results of this study found that conventional banks use the interest system to support their operations. In contrast to the interest system prevailing in conventional banks, Islamic Banks determine the amount of return and profit sharing based on the amount of profit sharing between the customer and the bank without determining the percentage that must be paid by the customer. Bank interest is an evolution of the concept of usury that cannot be separated from the development of financial institutions. Riba in modern banking makes business decline and become unproductive. Education and religion can be used as the basis for mu'amalah for all mankind, especially Muslims. Islamic education can lead humans to become individuals who are able to survive in this world and the hereafter (*al-falah*). Education about riba or usury provides important information that can be a guide for human life in mu'amalah today.

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